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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/080,150	02/19/2002	Richard Ramos	005866.P001	9286

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EXAMINER

EDMONDSON, LYNNE RENEE

ART UNIT PAPER NUMBER

1725

DATE MAILED: 05/20/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/080,150

Applicant(s)

RAMOS, RICHARD

Examiner

Lynne Edmondson

Art Unit

1725

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 16 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-11 and 13-17 is/are rejected.
- 7) ☒ Claim(s) 3 and 12 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |                                                                                                                        |                                                                                         |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                            | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____                                                |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 2, 4-7, 9-11, 13, 14, 16 and 17 are rejected under 35 U.S.C. 102(b) as being anticipated by Garrett (USPN 4518078).

Garrett teaches a device comprising a vessel capable of providing a pressure tight chamber (vacuum chamber, 20), entry and exit ports which are sealable (col 1 lines 15-45), multiple rail means (90, 92, 94 and 130, 132, 134 and 136) two of which are inside the chamber (figure 1) and the other two of which are outside the processing chamber (in entry and exit chambers, col 4 line 65 – col 5 line 10). The rails can be raised and lowered or folded (pivoted) at approximately a right angle (figure 6 and col 5 lines 10-27).

3. Claims 1, 5, 6, 9, 10 and 14-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Meador (USPN 5802993).

Meador teaches a device comprising a vessel capable of providing a pressure tight chamber (11) with entry and exit ports which are sealable, a heater and multiple rail means (14a, 14b) at least two of which are inside the chamber while at least two others are outside the processing chamber (figures 1 and 2). The rails can be raised

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and lowered or folded (pivoted) (col 4 line 65 – col 5 line 43). See also Meador claims 1-4 and 10.

4. Claims 5-9 are rejected under 35 U.S.C. 102(b) as being anticipated by (Pekol, USPN 5573174, IDS)

Pekol teaches a device comprising a vessel capable of providing a pressure tight chamber (20), entry and exit ports which are sealable, multiple rail means (18, 34, 22) one of which is inside the chamber and the other two of which are outside the processing chamber and a heater (figure 1 and col 4 lines 10-54). The rails can be raised and lowered (figure 2 and col 6 lines 38-62).

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 8 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Garrett (USPN 4518078) in view of Brooks et al. (USPN 4141458) .

Garrett teaches a device comprising a vessel capable of providing a pressure tight chamber (vacuum chamber, 20), entry and exit ports which are sealable (col 1 lines 15-45), multiple rail means (90, 92, 94 and 130, 132, 134 and 136) two of which

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are inside the chamber (figure 1) and the other two of which are outside the processing chamber (in entry and exit chambers, col 4 line 65 – col 5 line 10). The rails can be raised and lowered or folded (pivoted) at approximately a right angle (figure 6 and col 5 lines 10-27). However there is no disclosure of a heater.

Brooks teaches a device for coating a wafer comprising rails, a sealable vacuum chamber and heating means (figure 1 and col 6 lines 23-36).

It would have been obvious to one of ordinary skill in the art at the time of the invention to employ a heating means in the vacuum chamber as is conventional in the art to perform the coating processes (Garrett, col 1 lines 15-25).

#### ***Allowable Subject Matter***

7. Claims 3 and 12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

8. The following is a statement of reasons for the indication of allowable subject matter: The closest prior art teaches the invention essentially as claimed but does not teach relative positioning of the heater and rails when the rails are moved. See Garrett and Brooks.

**Conclusion**

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Sakai (USPN 5214290), Choudhury et al. (USPN 5480127), Barthalon (USPN 3631806) and Blum (USPN 5909994).

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lynne Edmondson whose telephone number is (571) 272-1172. The examiner can normally be reached on Monday through Thursday from 6:30 a.m. to 5 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Dunn can be reached on (571) 272-1171. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Lynne Edmondson  
Primary Examiner  
Art Unit 1725



9/29/04

LRE